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11 Attorneys for Plaintiff  
12 United States of America

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14 IN THE UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

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17 UNITED STATES OF AMERICA, Plaintiff,  
18 v.  
19 JOSHYMAR ESTRADA, Defendant.

20 CASE NO. 1:22-CR-00149-JLT-SKO  
21 STIPULATION REGARDING EXCLUDABLE  
22 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
23 ORDER  
24 DATE: February 1, 2023  
25 TIME: 1:00pm  
26 COURT: Hon. Sheila K. Oberto

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28 **STIPULATION**

29 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
30 through defendant's counsel of record, hereby stipulate as follows:

31 1. By previous order, this matter was set for status on February 1, 2023.

32 2. By this stipulation, defendant now moves to continue the status conference until June 7,  
33 2023, and to exclude time between February 1, 2023, and June 7, 2023, under 18 U.S.C.

34 § 3161(h)(7)(A), B(iv) [Local Code T4].

35 3. The parties agree and stipulate, and request that the Court find the following:

36 a) The government has represented that the discovery associated with this case has  
37 been provided. The government is aware of its ongoing discovery obligations.

38 b) The government is amendable to providing a plea offer if the defendant requests  
39 one.

c) Counsel for defendant desires additional time to confer with his client about a possible resolution, to review discovery, and to otherwise prepare for trial.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 1, 2023 to June 7, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

## IT IS SO STIPULATED.

Dated: January 25, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ JESSICA A. MASSEY  
JESSICA A. MASSEY  
Assistant United States Attorney

/s/ YAN SHRAYBERMAN

Dated: January 25, 2023

YAN SHRAYBERMAN  
Counsel for Defendant  
JOSHYMAR ESTRADA

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3 **ORDER**  
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8 IT IS SO ORDERED.  
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10 DATED: 1/26/2023  
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*Sheila K. Oberto*  
Hon. Sheila K. Oberto  
United States Magistrate Judge